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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/673,810	09/29/2003	Andrew John Farnsworth	1578.619(PUS-1155)	2209
54120 7590 07/03/2008 RESEARCH IN MOTION ATTN: GLENDA WOLFE BUILDING 6, BRAZOS EAST, SUITE 100 5000 RIVERSIDE DRIVE IRVING, TX 75039				
EXAMINER VU, MICHAEL T				
ART UNIT 2617		PAPER NUMBER		
MAIL DATE 07/03/2008		DELIVERY MODE PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/673,810

Applicant(s)

FARNSWORTH, ANDREW JOHN

Examiner

MICHAEL T. VU

Art Unit

2617

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 25 April 2008.
2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1, 2, 4, 8, 9, 11 and 15-18 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 1-2, 4, 8-9, 11, 15-18 is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SI/08)
Paper No(s)/Mail Date _____
4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 4/25/2008 has been entered.

Response to Arguments

2. Applicant's arguments with respect to claims 1-2, 4, 8-9, 11, 15-18 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-2, 8-9, 15-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rune (US 2002/0115460) in view of Sarkkinen (US 2003/0119533).

Regarding claims 1, 8, and 16, Rune teaches a method of processing messages received by user equipment from a network [0004-0005], the method comprising: receiving a message at the User Equipment that indicates that the User Equipment should move into a dedicated channel state [0016-0018, 0067-0068], wherein the message is **one of** the following: a Cell Update Confirm message **or** a Universal Mobile Telecommunication System Terrestrial Access Network Registration Area ([0006, 0021] UMTS), Update Confirm message **or** a Radio Resource Control Connection setup message [0006, 0021, 0055-0056]; in response to the message [0016-0017, 0062-0063], clearing from the device any record of a cell identifier before moving to the dedicated channel state [0023-0027, 0036-0038, 0063-0069], and wherein when the message includes a new cell identifier [0004-0008], not storing in the User Equipment any record of the cell identifier included in the message [0004-0008, 0023-0027, 0036-0038, 0063-0069]; and

But Rune does not clearly teach optionally sending a response message receivable by the network, after the UE is cleared of any record of a cell identifier.

However, Sarkkinen teaches an optionally sending a response message receivable by the network, after the UE is cleared of any record of a cell identifier [0005-0009, 0034, 0041-0042, 0077], in which includes a method and apparatus for keeping track of User equipment (UE) locations for performing multicast services in a network that includes a Radio Resource Controller (RRC) connection in response to the

message, updating and cleaning or clearing or deleting of the record can be made based on User Equipments' identification (See Figures #1-4, [0034, 0041-0042, 0077]).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Rune, with Sarkkinen's teaching such that an optionally sending a response message receivable by the network, after the UE is cleared of any record of a cell identifier, in order to keep track of user equipment locations for multicast services including update message when the user equipment detects a multicast, and allowing the Radio Network Controller to keep a record of the location of the device.

Regarding claims 2, 9, and 17, Rune and Sarkkinen teach the method according to claim 1, wherein the dedicated channel is a Cell_DCH channel [0047-0063] of Sarkkinen.

Regarding claim 15, Rune and Sarkkinen teach the mobile telecommunication device incorporating apparatus according to claim 8, (See Figures #1-4) of Sarkkinen.

5. Claims 4, 11, 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rune and Sarkkinen, and further in view of Wu (US 2003/0210676).

Regarding claims 4, 11, and 18, Rune and Sarkkinen teach the method according to claim 1, **but Rune and Sarkkinen do not teach** wherein the cell identifier is a Cell Radio Network Temporary Identifier.

However, Wu teaches the cell identifier is a Cell Radio Network Temporary Identifier [0060], in which the telecommunication systems such as 3G or UTMS radio interface protocol architecture that implement in both the UTRAN and the UE, including an RRC layer to provide the mobility information of a Cell Radio Network Temporary Identifier (C_RNTI) used as UE to identifiers within an UTRAN in signaling messages between UE and UTRAN [0060].

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Rune and Sarkkinen, with Wu's system such that the cell identifier is a Cell Radio Network Temporary Identifier, in order to enhance the mobility of the user equipments for detecting during the relocation procedure for a better ensures that packet lossless.

Conclusion

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael Vu whose telephone number is (571) 272-8131. The examiner can normally be reached on 8:00am - 6:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Charles N. Appiah can be reached on 571-272-7904. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Michael Vu/

Examiner
AU-2617

/Charles N. Appiah/
Supervisory Patent Examiner, Art Unit 2617